

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY -2 2017

SEAN F. MCAMVOY, CLERK
DEPUTY
MARINA WASHINGTON

Name of Offender: Jason L. Behn

Case Number: 0980 2:11CR00186-LRS-1

Address of Offender:

Spokane Valley, Washington 99037

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: November 13, 2013

Original Offense: Possession of a Firearm by a User or Addict of a Controlled Substance, 18 U.S.C. § 922(g)(3)

Original Sentence: Prison - 55 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Scott Jones

Date Supervision Commenced: April 8, 2016

Defense Attorney: Federal Defender's Office

Date Supervision Expires: April 7, 2019

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition # 2:</u> The defendant shall not commit another Federal, state, or local crime.
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Supporting Evidence: Jason Behn violated 18 U.S.C. § 666, Bribery Concerning Programs Receiving Federal Funds since on or about December 2016.

On April 11, 2016, Jason Behn signed his judgment for case number 2:11CR00186-LRS-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Behn was made aware by his U.S. probation officer that he must not commit another federal, state, or local crime while on supervised release.

According to the Federal Bureau of Investigation report dated March 6, 2017, a witness was interviewed regarding an ongoing investigation into clients bribing the urine technician contracted by the U.S. Probation Office to record negative urinalysis results. The witness stated that the offender provided a urine sample in late December 2016. Following the test, Mr. Behn presented his cell phone in one hand and money in the other, possibly a \$20 or \$50 bill. Mr. Behn said he was paying. Mr. Behn showed the technician a text message on his telephone from an unidentified person asking for an advance on his urine test. The witness

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stated that he declined the bribe. Bribery concerning programs receiving federal funds is a violation of 18 U.S.C. § 666.

- 2 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Jason Behn violated 18 U.S.C. § 1001, False Statements to a Federal Agent on or about February 8, 2017.

On April 11, 2016, Jason Behn signed his judgment for case number 2:11CR00186-LRS-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Behn was made aware by his U.S. probation officer that he must not commit another federal, state, or local crime while on supervised release.

On February 8, 2017, Mr. Behn reported as directed to the U.S. Probation Office to speak with a special agent with the Federal Bureau of Investigation (FBI). On that date, Mr. Behn was asked about his involvement regarding an ongoing investigation regarding various clients bribing an employee at the ADEPT Assessment and Treatment Center. It should be noted that ADEPT is the contracted vendor for the U.S. Probation Office to conduct both chemical dependency treatment and urine testing for clients under federal supervision in the Eastern District of Washington. Mr. Behn denied any involvement and denied that he had bribed any employee, or past employee of ADEPT, in exchange for negative urine test reports. An ongoing investigation into Mr. Behn's involvement revealed that Mr. Behn did in fact bribe an employee of ADEPT in exchange for negative drug test reports. Mr. Behn is in violation of 18 U.S.C. § 1001, False Statements to a Federal Agent.

- 3 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On April 11, 2016, Jason Behn signed his judgment for case number 2:11CR00186-LRS-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Behn was made aware by his U.S. probation officer that he may not use illegal controlled substances and must comply with drug testing procedures.

According to the Federal Bureau of Investigation report dated March 6, 2017, a witness was interviewed regarding an ongoing investigation into clients bribing the urine technician contracted by the U.S. Probation Office for negative results. The witness stated that the defendant provided a urine sample in late December. Following the test, Mr. Behn presented his cell phone in one hand and money in the other, possibly a \$20 or \$50 bill. Mr. Behn said he was paying. Mr. Behn showed the technician a text message on his telephone from an unidentified person asking for an advance on his urine test. The witness stated that he declined the bribe.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.


Executed on: 05/01/2017

s/Patrick J. Dennis

Patrick J. Dennis
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

5/2/17

Date